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State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

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Notom Area Distribution Account Holders:

August 7, 2008

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C/O Kathy Bagley
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SUBJECT: SEAA 1065: Oak Creek – Parks Pasture to Pleasant Creek Diversion

RE: Compliance Status

Dear Water Users:

The measuring device and control structure as required by the SEAA 1065 notice on February 20, 2004, was substantially accepted by the Becky Taft, the Lower Fremont Water Commissioner as a functioning device for the subject diversion. The flume and control gate arrangement is hereby accepted noting the following observations:

Observations:

The control gate seals as much as reasonably possible flow through the diversion; a lock may be required as necessary to prevent tampering of gate settings. The water commissioner will provide this lock.

The Parshall flume is not level, however is deemed adequate to measure low flows that are expected through the diversion. Since the flume is hard to reach with mechanical equipment, and resetting may cause damage or leakage, this work may be counter productive. This work may be better left as is, until major rework of the ditch and flume are necessary in the distant future.

Noting these conditions, the subject agency actions can be formally concluded. Your efforts to comply with these orders are commended and appreciated. We appreciate the dialogue that has ensued in these proceedings and look forward to a more constructive relationship between the division and parties involved in this action.

If you have any questions concerning this letter, please contact Mike Silva by phone at (801) 538-7430 or by E-Mail at MikeSilva@utah.gov or Kirk Forbush by phone at (435) 896-4429 or by E-Mail at KirkForbush@utah.gov.

Sincerely,



Mike Silva
Distribution Engineer
Division of Water Rights

pc: Kirk Forbush P.E. / Regional Engineer
Becky Taft / PO Box 154 / Bicknell UT 84715
File: SEAA 1065
Kerry Carpenter/ Enforcement Engineer

SCANNED